

AMENDED IN SENATE MAY 1, 2002

**SENATE BILL**

**No. 1918**

**Introduced by Senator Torlakson**  
**(Coauthor: Senator Soto)**

February 22, 2002

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An act to amend, *repeal*, and *add* Sections 407.5 and 467 of, to add and *repeal* Section 313~~to~~ of, and to add and *repeal* Article 6 (commencing with Section 21280)~~to~~ of Chapter 1 of Division 11 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1918, as amended, Torlakson. Vehicles: electric personal assistive mobility devices.

(1) Existing law regulates the use and operation of vehicles, including 2-wheeled, electric propelled devices such as scooters. Under existing law, among other requirements, a motorized scooter is required to be equipped with a specified type of braking system and, if operated on a highway in darkness, with specified lamps for visibility.

This bill would establish regulations regarding the use of electric personal assistive mobility devices. The term “electric personal assistive mobility device” or “EPAMD” would be defined as a self-balancing, nontandem, 2-wheeled device, that can turn in place, designed to transport only one person at a maximum speed of less than 20 miles per hour, as specified. This bill would also specify that “pedestrian” includes a user of an electric personal assistive mobility device. An electric personal assistive mobility device would be required, among other things, to be equipped with front, rear, and side reflectors, a system that enables the driver to bring the device to a controlled stop, and lamps for nighttime visibility. This bill would also

provide that local authorities may adopt ordinances with respect to the time, place, and manner of operation of electric personal assistive mobility devices. The bill also makes findings regarding the advantages of electric personal assistive mobility devices in promoting productivity, minimizing environmental impacts, and facilitating better use of public ways. *The bill would provide that its provisions shall remain in effect only until January 1, 2008, and as of that date are repealed.* Because a violation of these provisions would be a crime, the bill would impose a state-mandated program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 313 is added to the Vehicle Code, to  
2 read:

3 313. (a) The term “electric personal assistive mobility  
4 device” or “EPAMD” means a self-balancing, nontandem  
5 two-wheeled device, that can turn in place, designed to transport  
6 only one person, with an electric propulsion system averaging less  
7 than 750 watts (1 horsepower), the maximum speed of which,  
8 when powered solely by a propulsion system on a paved level  
9 surface, is less than 20 miles per hour.

10 (b) *This section shall remain in effect only until January 1,*  
11 *2008, and as of that date is repealed, unless a later enacted statute,*  
12 *that is enacted before January 1, 2008, deletes or extends that date.*

13 ~~SEC. 2.—Section 467 of the Vehicle Code is amended to read:~~  
14 ~~467.—(a) A “pedestrian” is any person who is afoot or who is~~  
15 ~~using any of the following:~~

16 ~~(1) A means of conveyance propelled by human power other~~  
17 ~~than a bicycle.~~

18 ~~(2) An electric personal assistive mobility device as defined in~~  
19 ~~Section 313.~~

1 ~~(b) “Pedestrian” includes any person who is operating a~~  
2 ~~self-propelled wheelchair, invalid tricycle, or motorized~~  
3 ~~quadricycle and, by reason of physical disability, is otherwise~~  
4 ~~unable to move about as a pedestrian, as specified in subdivision~~  
5 ~~(a).~~

6 ~~SEC. 3.~~

7 *SEC. 2.* Section 407.5 of the Vehicle Code is amended to read:

8 407.5. (a) A “motorized scooter” is any two-wheeled device  
9 that has handlebars, is designed to be stood or sat upon by the  
10 operator, and is powered by an electric motor that is capable of  
11 propelling the device with or without human propulsion. For  
12 purposes of this section, an electric personal assistive mobility  
13 device, as defined in Section 313, a motorcycle, as defined in  
14 Section 400, a motor-driven cycle, as defined in Section 405, a  
15 motorized bicycle or moped, as defined in Section 406, or a toy,  
16 as defined in Section 108550 of the Health and Safety Code, is not  
17 a motorized scooter.

18 (b) A device meeting the definition in subdivision (a) that is  
19 powered by a source other than electrical power is also a motorized  
20 scooter.

21 (c) (1) Every manufacturer of motorized scooters shall  
22 provide a disclosure to buyers that advises buyers that their  
23 existing insurance policies may not provide coverage for these  
24 scooters and that they should contact their insurance company or  
25 insurance agent to determine if coverage is provided.

26 (2) The disclosure required under paragraph (1) shall meet both  
27 of the following requirements:

28 (A) The disclosure shall be printed in not less than 14-point  
29 boldface type on a single sheet of paper that contains no  
30 information other than the disclosure.

31 (B) The disclosure shall include the following language in  
32 capital letters:

33



1 “YOUR INSURANCE POLICIES MAY NOT PROVIDE  
2 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF  
3 THIS SCOOTER. TO DETERMINE IF COVERAGE IS  
4 PROVIDED, YOU SHOULD CONTACT YOUR  
5 INSURANCE COMPANY OR AGENT.”  
6

7 *(d) This section shall remain in effect only until January 1,*  
8 *2008, and as of that date is repealed, unless a later enacted statute,*  
9 *that is enacted before January 1, 2008, deletes or extends that date.*

10 ~~SEC. 4.~~

11 *SEC. 3. Section 407.5 is added to the Vehicle Code, to read:*

12 *407.5. (a) A “motorized scooter” is any two-wheeled device*  
13 *that has handlebars, is designed to be stood or sat upon by the*  
14 *operator, and is powered by an electric motor that is capable of*  
15 *propelling the device with or without human propulsion. For*  
16 *purposes of this section, a motorcycle, as defined in Section 400,*  
17 *a motor-driven cycle, as defined in Section 405, a motorized*  
18 *bicycle or moped, as defined in Section 406, or a toy, as defined*  
19 *in Section 108550 of the Health and Safety Code, is not a*  
20 *motorized scooter.*

21 *(b) A device meeting the definition in subdivision (a) that is*  
22 *powered by a source other than electrical power is also a*  
23 *motorized scooter.*

24 *(c) (1) Every manufacturer of motorized scooters shall provide*  
25 *a disclosure to buyers that advises buyers that their existing*  
26 *insurance policies may not provide coverage for these scooters*  
27 *and that they should contact their insurance company or insurance*  
28 *agent to determine if coverage is provided.*

29 *(2) The disclosure required under paragraph (1) shall meet*  
30 *both of the following requirements:*

31 *(A) The disclosure shall be printed in not less than 14-point*  
32 *boldface type on a single sheet of paper that contains no*  
33 *information other than the disclosure.*

34 *(B) The disclosure shall include the following language in*  
35 *capital letters:*

36  
37 “YOUR INSURANCE POLICIES MAY NOT PROVIDE  
38 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS  
39 SCOOTER. TO DETERMINE IF COVERAGE IS PROVIDED,  
40 YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR

1 AGENT.”

2  
3 (d) *This section shall become operative on January 1, 2008.*

4 SEC. 4. *Section 467 of the Vehicle Code is amended to read:*

5 467. (a) A “pedestrian” is any person who is afoot or who is  
6 using a means of conveyance propelled by human power other than a bicycle.

7 (1) *A means of conveyance propelled by human power other*  
8 *than a bicycle.*

9 (2) *An electric personnel assistive mobility device as defined in*  
10 *Section 313.*

11 (b) “Pedestrian” includes any person who is operating a  
12 self-propelled wheelchair, invalid tricycle, or motorized  
13 quadricycle and, by reason of physical disability, is otherwise  
14 unable to move about as a pedestrian, as specified in subdivision  
15 (a).

16 (c) *This section shall remain in effect only until January 1,*  
17 *2008, and as of that date is repealed, unless a later enacted statute,*  
18 *that is enacted before January 1, 2008, deletes or extends that date.*

19 SEC. 5. *Section 467 is added to the Vehicle Code, to read:*

20 467. (a) A “pedestrian” is any person who is afoot or who is  
21 using a means of conveyance propelled by human power other than  
22 a bicycle.

23 (b) “Pedestrian” includes any person who is operating a  
24 self-propelled wheelchair, invalid tricycle, or motorized  
25 quadricycle and, by reason of physical disability, is otherwise  
26 unable to move about as a pedestrian, as specified in subdivision  
27 (a).

28 (c) *This section shall become operative on January 1, 2008.*

29 SEC. 6. Article 6 (commencing with Section 21280) is added  
30 to Chapter 1 of Division 11 of the Vehicle Code, to read:

31  
32 Article 6. Electric Personal Assistive Mobility Devices

33  
34 21280. (a) The Legislature finds and declares the following:

35 (1) This state has severe traffic congestion and air pollution  
36 problems, particularly in its cities, and finding ways to reduce  
37 these problems is of paramount importance.

38 (2) Electric personal assistive mobility devices that meet the  
39 definition contained in Section 313 operate solely on electricity

1 and employ advances in technology to safely integrate the user in  
2 pedestrian transportation.

3 (3) Electric personal assistive mobility devices would enable  
4 California businesses, public officials, and individuals to travel  
5 farther and carry more without the use of traditional vehicles,  
6 thereby promoting gains in productivity, minimizing  
7 environmental impacts, and facilitating better use of public ways.

8 (b) The Legislature is adding this article as part of its program  
9 to promote the use of no-emission transportation.

10 21280.5. For purposes of this article, an electric personal  
11 assistive mobility device is defined in Section 313.

12 21281. Every electric personal assistive mobility device, or  
13 EPAMD, shall be equipped with the following safety mechanisms:

14 (a) Front, rear, and side reflectors.

15 (b) A system that enables the operator to bring the device to a  
16 controlled stop.

17 (c) If the EPAMD is operated between one-half hour after  
18 sunset and one-half hour before sunrise, a lamp emitting a white  
19 light that, while the EPAMD is in motion, illuminates the area in  
20 front of the operator and is visible from a distance of 300 feet in  
21 front of the EPAMD.

22 21282. For the purpose of assuring the safety of pedestrians  
23 and others using sidewalks and bike paths, a city, county, or city  
24 and county may, by ordinance, regulate the time, place, and  
25 manner of the operation of ~~electrical~~ electric personal assistive  
26 mobility devices.

27 21283. *This article shall remain in effect only until January 1,*  
28 *2008, and as of that date is repealed, unless a later enacted statute,*  
29 *that is enacted before January 1, 2008, deletes or extends that date.*

30 ~~SEC. 5.~~

31 SEC. 7. No reimbursement is required by this act pursuant to  
32 Section 6 of Article XIII B of the California Constitution because  
33 the only costs that may be incurred by a local agency or school  
34 district will be incurred because this act creates a new crime or  
35 infraction, eliminates a crime or infraction, or changes the penalty  
36 for a crime or infraction, within the meaning of Section 17556 of  
37 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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